

1 TAYLOR MORTGAGE LAWYERS  
Swazi E. Taylor (SBN 237093)  
2 Olivia J. Palmieri (SBN 265341)  
468 Camden Drive, Suite 215-B  
3 Beverly Hills, CA 90210  
Telephone: (888) 702-3888  
4 Facsimile: (310) 593-2448

5 Attorneys for Plaintiffs,  
MICHAEL TRANT  
6 DEBORAH TRANT

7  
8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10 MICHAEL TRANT; DEBORAH TRANT

Case No.: 12CV0164 JM WMc

11 Plaintiffs,

[Assigned to the Hon. Jeffrey T. Miller]

12 vs.

**PLAINTIFFS' NOTICE OF VOLUNTARY  
DISMISSAL WITHOUT PREJUDICE  
PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 41(a)(1)**

13 WELLS FARGO BANK, N.A.; WELLS  
FARGO HOME MORTGAGE; NDEX WEST,  
14 LLC; and DOES 1-20, inclusive,

15 Defendants.

16  
17  
18 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

19 PLEASE TAKE NOTICE that Plaintiffs MICHAEL TRANT and DEBORAH TRANT  
20 ("Plaintiffs"), pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses all  
21 claims in this action *without prejudice* as to Defendants WELLS FARGO BANK, N.A., WELLS  
22 FARGO HOME MORTGAGE and NDEX WEST, LLC ("Defendants").

23 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

24 **(a) Voluntary Dismissal.**

25 **(1) By the Plaintiff.**

26 **(A) Without a Court Order.** Subject to Rules 23(e), 23.1(c), 23.3, and 66 and  
27 any applicable federal statute, the plaintiff may dismiss an action without  
28 a court order by filing:

1 (i) a notice of dismissal before the opposing party serves either an  
2 answer or a motion for summary judgment

3 Defendants have neither answered Plaintiffs' Complaint, nor filed a motion for summary  
4 judgment. Accordingly, this matter may be dismissed without prejudice and without an Order of  
5 the Court.

6  
7 Dated: October 10, 2012

TAYLOR MORTGAGE LAWYERS

8  
9  
10 By: 

11 Swazi Taylor, Esq.  
12 Olivia J. Palmieri, Esq.  
13 Attorneys for Plaintiffs,  
14 MICHAEL TRANT  
15 DEBORAH TRANT  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

I am over the age of 18 and not a party to this action; I am employed in the County of Los Angeles, State of California. My business address is 468 N. Camden Drive, Suite 215-B, Beverly Hills, CA 90210.

On **October 10, 2012**, I served the foregoing document(s) described as:

## PLAINTIFFS' NOTICE OF VOLUNTARY WITHDRAWAL WITHOUT PREJUDICE

on interested parties in this action, through their respective attorney(s) of record in this action as follows

[ X ] (BY MAIL) I caused such envelope(s) for collection and mailing, following ordinary business practices, at the business office of Taylor Mortgage Lawyers, and addressed as shown on the attached service list, for deposit in the United States Postal Service. I am readily familiar with the practice of Taylor Mortgage Lawyers for collection and processing correspondence for mailing with the United States Postal Service, and said envelope(s) will be deposited with the United States Postal Service on said date in the ordinary course of business fully prepaid to be placed in the United States Mail.

[ ] (BY OVERNIGHT DELIVERY) I deposited in a box or other facility maintained by Federal Express, an express carrier service, or delivered to a courier or driver authorized by said express carrier service to receive documents, a true copy of the foregoing document for overnight delivery, in an envelope designed by said express carrier, with delivery fees paid for.

[ ] (BY ELECTRONIC SERVICE) Pursuant to CM/ECF System, registration as a CM/ECF user constitutes consent to electronic service through the Court's transmission facilities. The Court's CM/ECF system sends an e-mail notification of the filing to the parties and counsel of record listed above who are registered with the Court's EC/ECF System.

[X] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

[ ] (FEDERAL) I declare that I am employed in the office of a member of the bar of the Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on October 10, 2012, at Beverly Hills, California.

Gary Reichman, declarant

SERVICE LIST

Lukasz Wozniak, Esq.  
Nicholas G. Hood  
Wright, Finaly & Zak LLP  
4665 MacArthur Court, Suite 280  
Newport Beach, CA 92660

Attorney(s) for Wells Fargo Bank, N.A. and  
Wells Fargo Home Mortgage